

# Appendix 13: Minimum Requirement Decision Process for Administrative Actions in Wilderness

## Introduction

“...there shall be no commercial enterprise and no permanent road within any Wilderness area designated by this act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.”

Sec. 4 (c), Wilderness Act

Director's Order #41 (Wilderness Preservation and Management) states:

“A process to determine the ‘minimum requirement’ for administrative actions... and equipment use in Wilderness will be identified and established. It must specify how the process is to be implemented in the park and that a record of the decisions generated through this process must be kept for public inspection.”

In accordance with section 4 of the Wilderness Act, NPS Director's Orders, and the Yosemite National Park Wilderness Management Plan, the “minimum requirement” for the administration of Yosemite Wilderness is documented by the decision tree process. **The minimum requirement process applies to all administrative actions, programs, and activities within Wilderness and potential Wilderness additions.**

The minimum requirement decision process (MRDP) will be followed and documented for all proposed administrative actions in Yosemite Wilderness not specifically allowed by the Wilderness Plan. Long term, continuing actions will be evaluated before being included in the next version of the Wilderness Plan. Completed decision documents must be reviewed by the Wilderness Manager before approval by the Chief Ranger and should be used in conjunction with the Yosemite National Park Planning Clearinghouse process and any other necessary environmental compliance.

It is important to understand the difference between the terms “minimum requirement” and “minimum tool”. According to D.O. 41,

**Minimum Requirement** is a documented process the NPS will use for the determination of the appropriateness of all actions affecting Wilderness.

**Minimum Tool** means a use or activity, determined to be necessary to accomplish an essential task, which makes use of the least intrusive tool, equipment, device, force, regulation, or practice

that will achieve the Wilderness management objective. This is not necessarily the same as the term “primitive tool,” which refers to the actual equipment or methods that make use of the simplest available technology (i.e., hand tools).”

**Permitted Public Use:** Permitting special uses in Wilderness is itself an administrative action which is subject to the minimum requirement process. These special uses include all commercial use, special events, and scientific research. The minimum requirement process for these uses has specific restrictions and are covered in a supplement to this document.

**Emergencies:** A true emergency presents an immediate threat to human life, or natural or cultural resources within the area, and often requires a quick response beyond that available by primitive means. Emergencies do not require documented analysis prior to approval of a generally prohibited activity or use in Wilderness. The Incident Commander needs to determine quickly whether a true emergency exists and should be trained in the minimum requirement concept. The flow chart attached to this document can be used as a quick tool to assist with minimum requirement decisions for emergencies. The rationale for authorizing such use should be documented in the incident report.

## The Minimum Requirement Decision Process

Produce any required documentation on separate sheets.

### Step 1

#### **Determine whether the proposed action takes place in designated Wilderness or in a Potential Wilderness Addition.**

In general, the Yosemite Wilderness boundary is 100’ from development and 200’ from the centerline of roads. In Yosemite Valley, the boundary is the 4200’ contour, except in the Vernal – Nevada Falls corridor. If you are unsure whether or not your proposed action will take place within the Wilderness boundary, check the appropriate 7 ½ minute USGS quadrangle map or contact the Wilderness Manager.

Potential Wilderness additions were designated where a previous non-conforming use precluded Wilderness designation. These areas include the High Sierra Camps, Ostrander Ski hut, many utility corridors, and some access roads. The California Wilderness Act states that “lands designated as potential Wilderness additions shall be managed by the Secretary insofar as practicable as Wilderness until such time as said lands are designated as Wilderness”.

If the proposed action will take place in designated Wilderness, proceed to step 2.

If the proposed action will take place in a potential Wilderness addition, proceed to step 2a.

If the proposed action will not take place in Wilderness or a potential Wilderness addition, proceed with the Planning Clearinghouse (PCH) process.

## **Step 2**

### **Determine whether the proposed action is required for the administration of the Yosemite Wilderness.**

D.O. # 41 states: “In order to allow a prohibited activity, the activity must be necessary to manage the area as Wilderness.”

The proposed action should contribute toward meeting the management objectives listed in the Yosemite Wilderness Management Plan, which are appended at the end of this document. The action must also comply with all other applicable laws and policies.

If the action is not required for the administration of the area, it is not allowed.

If the action is required for the administration of the area, document what Wilderness management objective is being met and why this action is essential to meet that objective. Proceed to step 3.

### **Step 2a (For actions in Potential Wilderness Additions only)**

#### **Determine whether the proposed action is required for the continuation of the existing nonconforming use.**

If the action is not required for the continuation of the existing non-conforming use, it is not allowed.

If the action is required for the continuation of the existing non-conforming use, proceed to step 3.

## **Step 3**

### **Determine if the objectives of the proposed action can be met with actions outside of Wilderness or potential Wilderness.**

Consider:

- Can the objective be met outside of Wilderness or potential Wilderness?
- Will increased educational efforts help attain the objective?
- Will a reduction in visitor use (through disincentives, quota reductions, or closures) eliminate or reduce the need for the action? If so, will that reduction be an acceptable impact to the visitor experience?

If the objectives of the proposed action can be met with actions outside of Wilderness or potential Wilderness, proceed with established compliance and conduct action outside of Wilderness or potential Wilderness addition.

If the objectives of the proposed action can not be met outside of Wilderness or potential Wilderness, document the reasons and proceed to step 4.

## **Step 4**

### **Develop a list of alternatives to meet the objective of the proposed action.**

Include ways to reduce or mitigate the impacts of each alternative.

Include a no action alternative.

All proposed actions should include a range of alternatives that include varying degrees of administrative intrusion on Wilderness character. For example, a proposal to protect the habitat of a rare species might include: 1. No action/education only, 2. Voluntary closure with signs. 3. Overnight use prohibition with signs, and 4. Closure to all visitors with signs and fences.

Any proposed actions that include an alternative involving motorized equipment or mechanized transport should also include an alternative using non-motorized equipment and non-mechanized transport.

Include ways to reduce or mitigate the impacts of the action in each alternative:

- Can the action be timed to minimize impacts to the visitor experience or ecological health?
- Do your alternatives include all available options, tools and techniques?
- Can increased education help mitigate the impacts of the action?
- Can reduced use (through disincentives or quota reductions) reduce the scale of the action?

List each alternative along with any applicable mitigation measures.

## **Step 5**

### **Determine the effects of each alternative on Wilderness health and character.**

#### **Include cumulative effects.**

Consider:

1. Biophysical effects
  - Describe any effects this action will have on the ecological health of the area, including air and water quality, wildlife, introduction of exotic species, erosion, siltation, wetlands, and rare, threatened, endangered, or sensitive species. Include both biological and physical effects. Consult subject matter experts as needed.
  - In potential Wilderness additions, describe whether this action will make restoration to a Wilderness condition more difficult when the area is designated as Wilderness.
2. Experiential effects
  - Describe any effects this action will have on the experience of Wilderness visitors. Consider the effects on the opportunity for solitude, natural quiet, self-reliance, surprise, and discovery.

- Describe any effect this action will have on the natural appearance of the area.
3. Effects on Wilderness character
    - Describe any interference with natural processes, constraints on the freedom of wildlife or visitors, increase of management presence, or other reduction of wilderness that this action may cause.

Proceed to step 6 before documenting these effects.

## **Step 6**

### **Determine the management concerns of each alternative.**

Consider:

1. Health and safety concerns
  - Describe any health and safety concerns associated with this action. Include health and safety considerations of both employees and the public.
2. Societal/political/economic effects
  - Describe any political considerations such as MOUs, agency agreements, etc. that may be affected by this action.
  - Estimate the economic costs of this action.

Describe the effects of each alternative as determined in steps 5 and 6. Quantify these effects when possible, and describe whether the effects are short or long term, adverse or beneficial, and localized or far-reaching.

## **Step 7**

### **Choose an alternative**

NPS management policies states:

“Potential disruption of Wilderness character and resources and applicable safety concerns will be considered before, and given significantly more weight than, economic efficiency. If some compromise of Wilderness resources or character is unavoidable, only those actions that have localized, short-term adverse impacts will be acceptable.

Using the information developed in steps 5 and 6, and using the law and policy guidelines presented in this document, choose a preferred action and carefully justify in writing your reasons for choosing this alternative. Submit this document to the Wilderness Manager when completed.

Attach this signature page to your documentation.

Check one:

- ☐ The proposed action is a temporary, one time activity.
- ☐ The proposed action will be an on-going, long term activity.

Reviewed By:

---

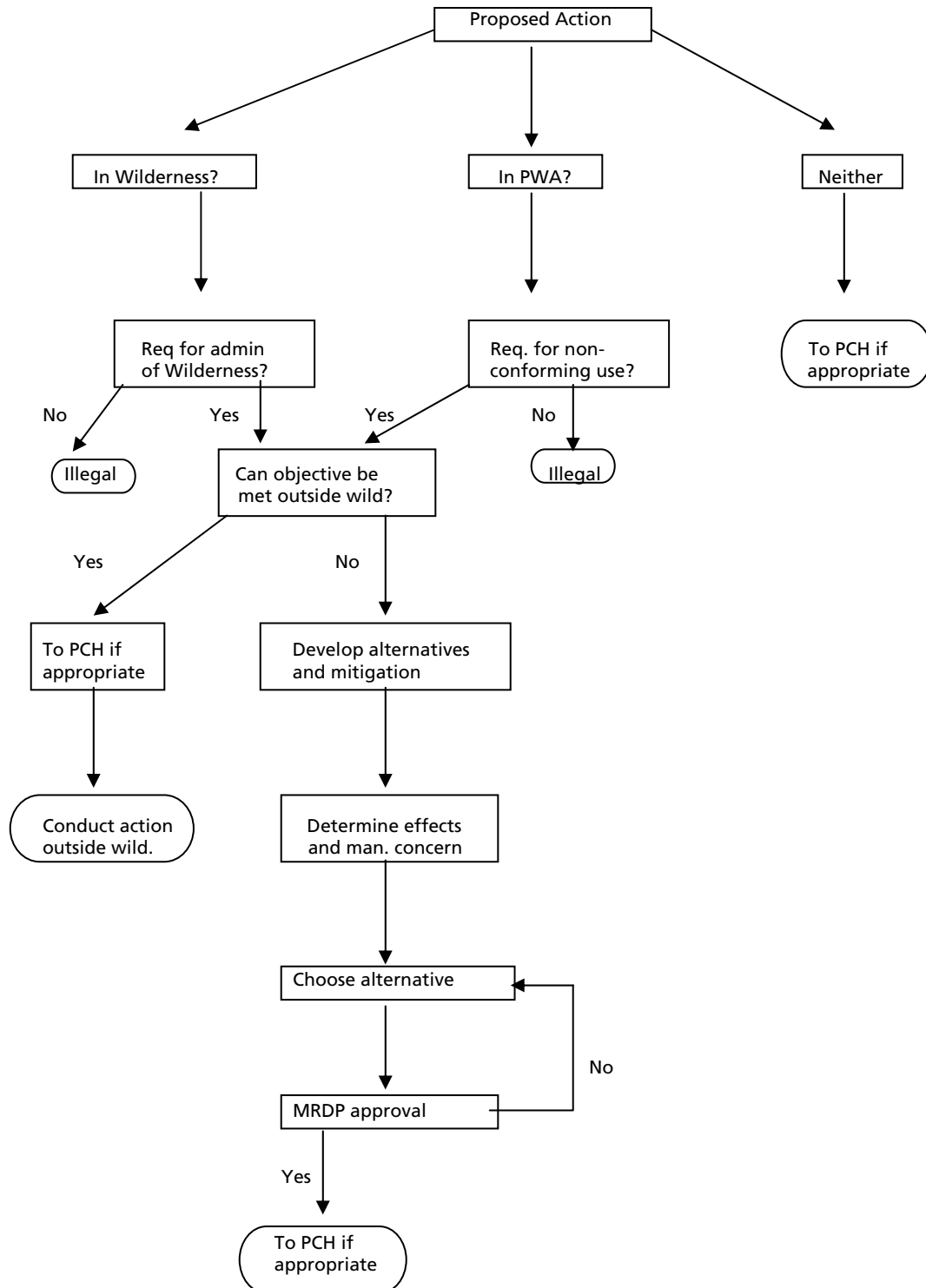
Wilderness Manager                      Date  
(Attach any comments and conditions)

Approved By:

---

Chief Ranger                      Date  
(Attach any comments and conditions)

***Superintendent's approval may be required for some actions. See Wilderness Management Plan. Yosemite National Park Minimum Requirement Decision Tree for Administrative Actions in Wilderness***



## **WILDERNESS MANAGEMENT OBJECTIVES**

**Manage for Ecosystem Integrity.** The Park Service will administer this Wilderness not only as the whole of many attributes, but also as an interrelated part of the greater ecosystem of the southern and central portion of the Sierra Nevada. Decision-making efforts will link internal components of the resource with adjacent land management activities. Continued involvement with the Central and Southern Sierra Wilderness Management Group and utilization of the findings of the Sierra Nevada Ecosystem Project is paramount to achieving this objective.

**Preserve Native Biodiversity.** Native Biodiversity in Yosemite Wilderness will be preserved by identifying and monitoring species and communities at risk; and removing or mitigating threats to those species and communities. This can include removal of alien species; removal of structures in sensitive sites or wildlife migration corridors; limiting recreational use of such sites, and, if no other effective alternative exists, cautious management of ecological processes.

**Allow Natural Processes to Continue.** Natural processes such as fire, flood, disease, insect infestation, evolution, ecological succession, and predation will not be interrupted. Management of such processes will be the minimum necessary to ensure the survival of endangered species, protect threatened cultural resources, and protect human health and safety. When such processes have a significant effect on areas outside the Wilderness boundary, an ecosystem-based decision making process will be undertaken with the appropriate outside agencies to determine management response. Structures and management activities in Wilderness will be designed to minimize interference with natural processes. Some areas may be temporarily closed during natural disturbances to ensure visitor safety.

**Mitigate, reduce or eliminate human induced change.** Management will focus on maintaining ecological relationships and processes that would prevail if not for excessive or inappropriate human influences. The Park Service will impose limits on human activities that cause unacceptable impacts to Wilderness attributes. Maximum use levels and quotas will be established and regularly monitored, and certain areas or activities may be restricted to accomplish this objective. Park management will ensure that designated and potential Wilderness in Yosemite is managed according to the principals of the Wilderness Act and the policy set forth in this plan. Significant cultural resources will be preserved in such a way that will not compromise ecological integrity.

**Allow for a quality Wilderness experience.** Management will assure that a spectrum of high quality, diverse, but Wilderness-appropriate experiences are available. Visitors have differing desires and expectations and should have the opportunity to have them met. Regulatory restrictions will be minimized to assure maximum freedom consistent with Wilderness resource objectives. Wise visitor use will be encouraged through education, example and sound management.

**Recognize and integrate all Wilderness values.** Wilderness will be managed as one resource with inseparable parts. It will be managed to provide opportunities to fulfill the recreational, scenic, scientific, educational, conservation, and historical purposes of Wilderness. Interdivisional,

interagency, and public consultation and cooperation will be fostered to achieve this multi-faceted approach.